



# Clatsop County

## Community Development – Code Compliance

800 Exchange St., Suite 100  
Astoria, OR 97103  
(503) 325-8611 phone  
(503) 338-3606 fax  
[www.co.clatsop.or.us](http://www.co.clatsop.or.us)

October 20, 2023

RE: Violation file # 20-000823

| No. | Title   | Document Date/Date Printed |
|-----|---|----------------------------|
| 1.  | Complaint   | 11/21/2014                 |
| 2.  | Webmap  | 10/20/2023                 |
| 3.  | Investigation detail report                                     | 10/18/2023                 |
| 4.  | Notice of Warning and certified mail receipt                    | 11/21/2014                 |
| 5.  | Notice of Violation and certified mail receipt                  | 12/10/2015                 |
| 6.  | Incident report   | 5/4/2021                   |
| 7.  | Site visit photos   | 2/16/2022                  |
| 8.  | Photo of posted Notice of Infraction and certified mail receipt | 2/17/2022                  |
| 9.  | Site visit photos of vehicles abandoned on ODOT property        | 12/20/2022                 |
| 10. | Email to Sheriff  | 12/21/2022                 |
| 11. | Email to ODOT   | 10/17/2023                 |
| 12. | Notice of Warning, photos and certified mail receipt            | 5/11/2023                  |
| 13. | Site visit photos   | 6/8 & 6/12 2023            |
| 14. | Notice of Violation, photos and certified mail receipt          | 7/7/2023                   |
| 15. | Site visit photos   | 9/12/2023                  |
| 16. | Site visit photos   | 10/12/2023                 |
| 17. | Administrative review   | 10/13/2023                 |
| 18. | Notice of Violation Hearing Procedures                          | 10/13/2023                 |

**Violation Form**  
**Clatsop County**  
**Department of Community Development**  
**800 Exchange, Suite 100**  
**Astoria, OR 97103**  
**Phone: (503)338-3697**  
**Fax: (503)338-3666**



Legal Description: T 5 N, R 09 W, Section 2300 , Tax Lot 00100

Violation Status: Open

Subject Property Address: 38212 Hwy 26  
Seaside

Location Description: South side Hwy 26 approx .4 mi east of Hwy 53 JCT

|                       |
|-----------------------|
| <b>Staff Use Only</b> |
|-----------------------|

**Violation ID:** 2129

**Zone:**

**Overlay District:**

**A Complaint is filed as follows:** Several inoperable vehicles, trailers, and RVs "rotting" into the ground. Numerous piles of rubbish and household garbage, some of which was obviously intended for the poor goat to eat.

| <b>Type of Violation</b>        | <b>Violation Type Description</b> |
|---------------------------------|-----------------------------------|
| Garbage dumping/unsafe building |                                   |
| Two or more inoperable vehicles |                                   |

| <b>Violator</b>                | <b>Owner</b>  |
|--------------------------------|---|
| Name 1:<br>Name 2:<br>Address: | Name 1: Phillips Trudie A<br>Name 2:<br>Address: 38212 Highway 26<br>Seaside, OR 97138-6162<br>Phone: |

| <b>Complainant</b>                                |   |
|---|---|
| Name 1: Animal Control<br>Address: Clatsop County | Phone:<br><br>Date of Complaint: 21-November-2014 |

| <b>Other Agency Notification</b> |                     |                |              |
|----------------------------------|---------------------|----------------|--------------|
| <b>Agency Name</b>               | <b>Contact Name</b> | <b>Address</b> | <b>Phone</b> |
|                                  |                     |                |              |

# Complaint/Violation File Tracking

Violation ID: 2129



**Date of Complaint:** 11/21/2014

**Owner Name:** Phillips Trudie A

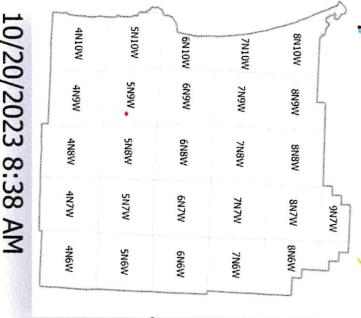
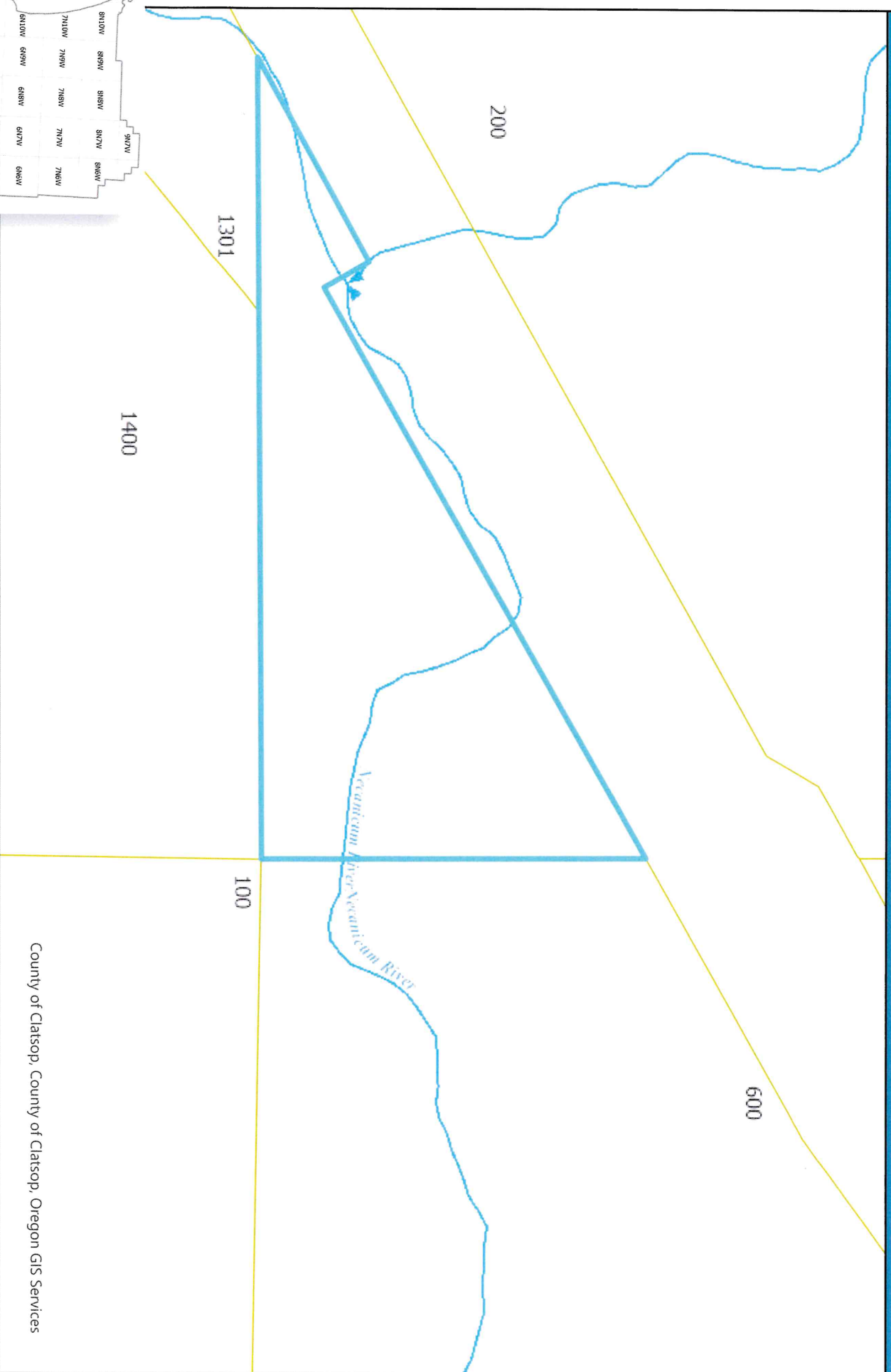
**Violator Name:** Phillips Trudie A

**Legal Description:**   T     R     S     QS    QQS    TL   
                           5    09  23    0    0    00100

| Date       | Staff     | Time Worked | Information  | Tracking Status     |
|------------|-----------|-------------|--|---------------------|
| 03/16/2016 | bcatching | 30 Min      | BCatching and HAH spoke at length at counter with Trudie Phillips. She had multiple concerns about compliance at the property. Most of her frustration was directed at law enforcement and we reminded her we have no control over that process. She claims many of the problems on the property stem from criminal elements in the neighborhood and repeated burglaries. Hard to say. Regardless, she informed staff of a couple other properties she claims are "worse" than hers to check out. She agreed to begin clearing her house of debris so she can have a place to stay while she works on the other projects there. I asked her to call me when she wants an inspection. Ball is in her court. | Office              |
| 03/16/2016 | bcatching | 10 Min      | Status email to SO and Animal Control.   | E-mail              |
| 12/10/2015 | bcatching | 60 Min      | Drafted and had Sherrif reievew vio status update letter. Mail cert and reg to situs, but also to business address on file since it appears no occupancy at the property and last year's cert letter came back.  | Notice of Violation |
| 09/14/2015 | bcatching | 30 Min      | emails back and forth w/ SO re law enforcement action at property relating to ex-boyfriend of owner? Sheriff fwd'd photos. Just as bad or worse as last year. Draft new violation status letter reminding of DNO for dwellings.  | E-mail              |
| 12/01/2014 | bcatching | 10 Min      | Call from owner. Upset. Talked her down. Told her animal control fwd'd complaint. Said her violation was low priority and no fines being assessed at this time. Will keep vio open to monitor, but her backstory makes it unlikely there will be progress any time soon. Monintor periodically.  | Phone call from     |
| 11/21/2014 | bcatching | 10 Min      | Stephen Hildreth from Animal Control called re the property. He had been there for a goat and cats. Sent photos of numerous vehicles and accumulations of waste.   | Phone call from     |
| 11/21/2014 | bcatching | 20 Min      | Saved photos, researched property. Set up file   | File set-up         |
| 11/21/2014 | bcatching | 30 Min      | Drafted LOW. Mailed cert and reg w/ 15 days to respond. Cc'd Animal Control and SO south co deputy.  | Notice of Warning   |

Total Time: 3 Hr 20 Min

# Phillips



## Clatsop County

0.05

mi



This map was produced using Clatsop County GIS data. The data is maintained by Clatsop County to support its governmental activities. Clatsop County is not responsible for any map errors, possible misuse, or misinterpretation.

10/20/2023 8:38 AM





# Investigation Detail Report

186-20-000823-NVST

Citation

Clatsop County Code Enforcement

800 Exchange Street

Astoria, OR 97103

503-325-8611

Fax: 503-338-3606

comdev@clatsopcounty.gov

Website: <https://clatsopcounty.gov>

Assigned to: Nancy Mendoza

Department: Code

## Record Details

Description of work: Old Violation #2129

Complaint: Accum. waste, vehicles, RV's, garbage

Complaint category: Public Nuisance

Complaint submitted via:

Complaint sub type: Dumping of Solid Waste

Complaint source:

Complaint zoning: RA-5

Compliance date:

Complaint notes: Wetland

## Record Activities

Activity Start Date - 10/12/2023

Record Activity: Site Visit

Activity name: 10/12/2023

Priority:

Normal

Status: Completed

Assigned to: Nancy Mendoza

Due date:

10/12/2023

Description: Accumulation of solid waste and auto wrecking yard still present on the property.

Activity Start Date - 09/12/2023

Record Activity: Site Visit

Activity name: 9/12/23

Priority:

Normal

Status: Completed

Assigned to: Nancy Mendoza

Due date:

09/12/2023

Description: The amount of solid waste on the property is increasing. Auto wrecking yard still present.

Activity Start Date - 07/07/2023

Record Activity: COD Violation

Activity name: 7/7/23

Priority:

Normal

Status: Completed

Assigned to: Nancy Mendoza

Due date:

07/07/2023

Description: Violations present include: Accumulation of solid waste and auto wrecking yard.

Complaint:

Complaint category:

Complaint submitted via:

Complaint sub type:

Complaint source:

Complaint zoning:

Compliance date:

Complaint notes:

|   |  |                  |            |
|---|--|------------------|------------|
| <b>Activity Start Date - 06/08/2023</b> |  |                  |            |
| <b>Record Activity:</b> Site Visit      |  |                  |            |
| <b>Activity name:</b>                   | 6/8/23 & 6/12/23   | <b>Priority:</b> | Normal     |
| <b>Status:</b>                          | Completed  |                  |            |
| <b>Assigned to:</b>                     | Nancy Mendoza  | <b>Due date:</b> | 06/12/2023 |
| <b>Description:</b>                     | Some improvement has been made on the property but the violations, auto wrecking yard and accumulation of solid waste are still present. |                  |            |

|   |  |                  |            |
|---|--|------------------|------------|
| <b>Activity Start Date - 05/11/2023</b> |  |                  |            |
| <b>Record Activity:</b> Site Visit      |  |                  |            |
| <b>Activity name:</b>                   | Posting property with NOW  | <b>Priority:</b> | Normal     |
| <b>Status:</b>                          | Completed  |                  |            |
| <b>Assigned to:</b>                     | Nancy Mendoza  | <b>Due date:</b> | 05/11/2023 |
| <b>Description:</b>                     | Posted property with a Notice of Warning for and auto wrecking yard and accumulation of solid waste. |                  |            |

|   |  |                  |            |
|---|--|------------------|------------|
| <b>Activity Start Date - 12/27/2022</b> |  |                  |            |
| <b>Record Activity:</b> Call In Bound   |  |                  |            |
| <b>Activity name:</b>                   | Call from ODOT   | <b>Priority:</b> | Normal     |
| <b>Status:</b>                          | Completed  |                  |            |
| <b>Assigned to:</b>                     | Nancy Mendoza  | <b>Due date:</b> | 12/27/2022 |
| <b>Description:</b>                     | Call back from Mark. He was having someone tag the vehicles for tow but doubted that anyone would tow the RV. We discussed whether OSP could fine Trudie for dumping the vehicles. He didn't think it was likely since OSP is so short-staffed and it is not a priority. |                  |            |

|   |  |                  |            |
|---|--|------------------|------------|
| <b>Activity Start Date - 12/22/2022</b> |  |                  |            |
| <b>Record Activity:</b> Call Out Bound  |  |                  |            |
| <b>Activity name:</b>                   | Contacting ODOT  | <b>Priority:</b> | Normal     |
| <b>Status:</b>                          | Completed  |                  |            |
| <b>Assigned to:</b>                     | Nancy Mendoza  | <b>Due date:</b> | 12/22/2022 |
| <b>Description:</b>                     | Left a message with Mark Buffington at ODOT asking for a callback regarding Trudie Phillip's property. |                  |            |

|                                    |   |                  |            |
|------------------------------------|---|------------------|------------|
| <b>Record Activity:</b> Site Visit |   |                  |            |
| <b>Activity name:</b>              | Checking on dumped vehicles   | <b>Priority:</b> | Normal     |
| <b>Status:</b>                     | Completed   |                  |            |
| <b>Assigned to:</b>                | Nancy Mendoza   | <b>Due date:</b> | 12/21/2022 |
| <b>Description:</b>                | It appears two vehicles and one RV were towed from Trudie's property onto ODOT property. Trudie was at her property and claimed the Sheriff, Matt Phillips, had instructed to tow them off of her property so that the tow company could tow the vehicles away. Verified with the Sheriff that was not what he told her she could do. |                  |            |

|                                       |   |                  |            |
|---------------------------------------|---|------------------|------------|
| <b>Record Activity:</b> Call In Bound |   |                  |            |
| <b>Activity name:</b>                 | 12/20/2022  | <b>Priority:</b> | Normal     |
| <b>Status:</b>                        | Completed   |                  |            |
| <b>Assigned to:</b>                   | Nancy Mendoza   | <b>Due date:</b> | 12/20/2022 |
| <b>Description:</b>                   | Complaint of vehicles towed from 38212 Hwy 26 and abandoned on ODOT property. |                  |            |

**Activity Start Date - 02/17/2022****Record Activity:** Site Visit

**Activity name:** NOV posted **Priority:** Normal

**Status:** Completed

**Assigned to:** Nancy Mendoza **Due date:** 02/17/2022

**Description:** Violations posted in NOV include: Auto wrecking yard. Accumulation of solid waste. Inadequate sanitation facilities and dangerous building.

**Record Activity:** Call In Bound

**Activity name:** ODOT **Priority:** Normal

**Status:** Completed

**Assigned to:** Nancy Mendoza **Due date:** 02/16/2022

**Description:** Received a call from Mark BUFFINGTON at ODOT. He stated they had received several complaints about the property and they were considering pushing all the vehicles and junk back onto the property. I told Mark I would be sending her a warning letter for the violations on the property.

**Record Activity:** Site Visit

**Activity name:** 2/16/2023 **Priority:** Normal

**Status:** Completed

**Assigned to:** Nancy Mendoza **Due date:** 02/16/2022

**Description:** Property owner was not home. Violations: Accumulation of solid waste. Auto wrecking yard

**Activity Start Date - 08/27/2021****Record Activity:** Call In Bound

**Activity name:** Call from property owner **Priority:** Normal

**Status:** Completed

**Assigned to:** Nancy Mendoza **Due date:** 08/27/2021

**Description:** Call and message from property owner stating she found my business card on her gate. She stated she wasn't sure why I was there but she was calling back anyway.

**Activity Start Date - 05/07/2021****Record Activity:** Notification

**Activity name:** Incident report **Priority:** Normal

**Status:** Completed

**Assigned to:** Nancy Mendoza **Due date:** 05/07/2021

**Description:** Received incident report of conditions at 38212 Hwy 26. Deputy stated in the report there is a tent with a commode over a hole in the ground used as a makeshift bathroom. The property owner stated there has not been power to the property since the storm of 2016.

|  |    |                                     |    |                          |    |
|--|----|-------------------------------------|----|--------------------------|----|
| <b>Notification date:</b>                  |    | <b>Newspaper legal notice sent?</b> | No | <b>DLCD notice sent?</b> | No |
| <b>Decision sent to applicant?</b>         | No | <b>Notice public hearing sent?</b>  | No |                          |    |
| <b>Sent to surrounding property owner?</b> | No | <b>Notification sent to agency?</b> | No |                          |    |

**Record Activity:** Site Visit

**Activity name:** Contact property owner **Priority:** Normal

**Status:** Completed

**Assigned to:** Nancy Mendoza **Due date:** 05/04/2021

**Description:** Reported to CE from SO. Attempted to make contact with property owner but no one was home. Left card with contact information

|  |   |                                 |                |
|--|---|---------------------------------|----------------|
| <b>Activity Start Date - 12/10/2015</b>  |   |                                 |                |
| <b>Record Activity:</b> COD_Violation    |   |                                 |                |
| <b>Activity name:</b>                    | Public Nuisance                             | <b>Priority:</b>                | Normal         |
| <b>Status:</b>                           | InProgress                                  |                                 |                |
| <b>Assigned to:</b>                      | Rob Ledgerwood                              | <b>Due date:</b>                | 12/23/2020     |
| <b>Description:</b>                      | Auto, waste, inhabitable structures         |                                 |                |
| <b>Complaint:</b>                        | Auto, waste, inhabitable structures         |                                 |                |
| <b>Complaint category:</b>               | Unsafe Building                             | <b>Complaint submitted via:</b> |                |
| <b>Complaint sub type:</b>               | Auto Wrecking Yard                          | <b>Complaint source:</b>        |                |
| <b>Complaint zoning:</b>                 |   | <b>Compliance date:</b>         |                |
| <b>Complaint notes:</b>                  |   |                                 |                |
| <b>Record Activity:</b> COD_Notification |   |                                 |                |
| <b>Activity name:</b>                    | Notice of Violation                         | <b>Priority:</b>                | Normal         |
| <b>Status:</b>                           | Completed                                   |                                 |                |
| <b>Assigned to:</b>                      | Rob Ledgerwood                              | <b>Due date:</b>                | 12/23/2020     |
| <b>Description:</b>                      | Public Nuisance                             |                                 |                |
| <b>Notification date:</b>                | 12/10/2015                                  | <b>Notification type:</b>       | Warning Letter |
| <b>Notification notes:</b>               |   |                                 |                |
| <b>Activity Start Date - 11/21/2014</b>  |   |                                 |                |
| <b>Record Activity:</b> COD_Violation    |   |                                 |                |
| <b>Activity name:</b>                    | Unpermitted & Nuisance                      | <b>Priority:</b>                | Normal         |
| <b>Status:</b>                           | InProgress                                  |                                 |                |
| <b>Assigned to:</b>                      | Rob Ledgerwood                              | <b>Due date:</b>                | 12/23/2020     |
| <b>Description:</b>                      | Auto, waste, inhabitable structures         |                                 |                |
| <b>Complaint:</b>                        | Auto, waste, inhabitable structures         |                                 |                |
| <b>Complaint category:</b>               | Public Nuisance                             | <b>Complaint submitted via:</b> |                |
| <b>Complaint sub type:</b>               | Auto Wrecking Yard                          | <b>Complaint source:</b>        |                |
| <b>Complaint zoning:</b>                 |   | <b>Compliance date:</b>         |                |
| <b>Complaint notes:</b>                  |   |                                 |                |
| <b>Record Activity:</b> COD_Notification |   |                                 |                |
| <b>Activity name:</b>                    | Notice of Warning                           | <b>Priority:</b>                | Normal         |
| <b>Status:</b>                           | Completed                                   |                                 |                |
| <b>Assigned to:</b>                      | Rob Ledgerwood                              | <b>Due date:</b>                | 12/23/2020     |
| <b>Description:</b>                      | Unpermitted development and public nuisance |                                 |                |
| <b>Notification date:</b>                | 11/21/2014                                  | <b>Notification type:</b>       | Warning Letter |
| <b>Notification notes:</b>               |   |                                 |                |

**Workflow History**

| Task name  | Task status             | Last update date                |            | Date assigned |            |
|--|-------------------------|---------------------------------|------------|---------------|------------|
| Application Intake   | Investigation Initiated | 12/23/2020                      | 2:25:16PM  | 12/23/2020    | 12:00:00AM |
| Assigned to: Rob Ledgerwood                                      |                         | Last updated by: Rob Ledgerwood |            |               |            |
| Task comment: File converted from old system, Violation ID #2129 |                         |                                 |            |               |            |
| Task name  | Task status             | Last update date                |            | Date assigned |            |
| Investigation Process  | Under Review            | 12/23/2020                      | 2:25:27PM  | 4/12/2021     | 12:00:00AM |
| Assigned to: Nancy Mendoza                                       |                         | Last updated by: Rob Ledgerwood |            |               |            |
| Task comment: None   |                         |                                 |            |               |            |
| Task name  | Task status             | Last update date                |            | Date assigned |            |
| Investigation Process  | Case Update Notes       | 4/12/2021                       | 11:06:24AM | 4/12/2021     | 12:00:00AM |
| Assigned to: Nancy Mendoza                                       |                         | Last updated by: Rob Ledgerwood |            |               |            |
| Task comment: assigning to specialist mendoza.                   |                         |                                 |            |               |            |
| Task name  | Task status             | Last update date                |            | Date assigned |            |
| Investigation Process  | Citation                | 7/6/2023                        | 3:00:58PM  | 4/12/2021     | 12:00:00AM |
| Assigned to: Nancy Mendoza                                       |                         | Last updated by: Nancy Mendoza  |            |               |            |
| Task comment: None   |                         |                                 |            |               |            |





# Clatsop County

## Community Development

800 Exchange St., Suite 100

Astoria, Oregon 97103

www.co.clatsop.or.us

Phone (503) 325-8611

Fax (503) 338-3666

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### **NOTICE OF WARNING:**

### **UNPERMITTED DEVELOPMENT AND USE**

TO: **Trudie A. Phillips**  
**38212 Hwy 26**  
**Seaside, OR 97138-6162**

RE: **Public Nuisance – Accumulation of Solid Waste; Presence of Inoperable Vehicles**  
**T5N, R9W, Sec. 23, Tax Lot 100, aka 38212 Highway 26, Seaside, OR**

You are hereby notified of your alleged violations of Clatsop County Code (CCC), Clatsop County Land and Water Development and Use Ordinance (LWDUO), and Clatsop County Standards Document (CCSD). **If violations are present you must bring the property into compliance or this department will issue a Notice of Infraction accompanied by fines. Unpaid fines and continued violation will result on a code compliance order and a lien against your property recorded in the County Deed Records.**

November 21, 2014, the Code Compliance Specialist received a complaint regarding conditions on your property located at T5N, R9W, Sec. 23, Tax Lot 100, aka 38212 Hwy 26, Seaside. Specifically county staff present on the property for other legal purposes observed troubling conditions at the property including, but not limited to accumulation of solid and putrescible waste and the presence of two or more inoperable vehicles located at the property. Photographic evidence provided to the code compliance specialist confirmed nuisances are present.

Your nuisances consist of:

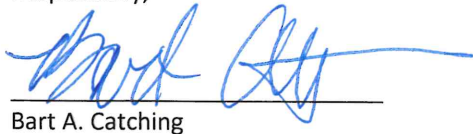
1. **Unpermitted development. (Two or more inoperable vehicles.)** LWDUO 2.050, 1.030.
2. **Public Nuisance. (Accumulation of Solid and Putrescible Waste.)** CCC 8.04.040.

Such violations constitute nuisances and infractions per CCC 1.12.050. You are required to **immediately cease and desist the unpermitted use**, and demonstrate to the Code Compliance Specialist of Clatsop County that no nuisance exists by filing a written statement with the Clatsop County Code Compliance Specialist and allowing physical inspection of the property. **You have fifteen (15) days to respond to this notice.**

If you fail to remove the nuisances within the time set forth above, Clatsop County may cause the nuisances to be abated and charge the cost of abatement, plus overhead. (CCC 8.04.050). In addition or as an alternative **Clatsop County may issue Notice of Infraction and impose civil fines.** (CCC 1.12.050). **Each day that the nuisance continues may be considered to be a separate violation and may result in a separate and additional fine.** (CCC 1.12.180). **These costs will be your personal liability and when recorded as a compliance order in the County lien record will be a lien against any real property you own.** (1.12.130(A)).

After **fifteen (15) days** from the date of this notice, this matter will be set for administrative review. At that time, a decision will be made concerning the existence of and your responsibility for the nuisance described in this notice. Any information that you would like to have considered must be submitted to the Clatsop County Code Compliance Specialist prior to that time.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Bart A. Catching', written over a horizontal line.

Bart A. Catching  
Code Compliance Specialist

11-21-14  
Date

Cc: Clatsop County Animal Control  
Clatsop County Sheriff's Office

**U.S. Postal Service™ RECEIPT**  
**CERTIFIED MAIL™**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.gov](http://www.usps.gov)

**CC PLANING #715**

**UNSET PRESORT**  
**NOV 21 2014**

|  |          |          |       |
|--|----------|----------|-------|
| Postage  | \$ 4.90  | Zip Code | 02014 |
| Certified Fee                                  | 6.00     | Mark     | PS    |
| Return Receipt Fee (Endorsement Required)      | 2.70     | PSN      | 25    |
| Restricted Delivery Fee (Endorsement Required) | —        | PSN      | 25    |
| Total Postage & Fees                           | \$ 13.60 | PSN      | 25    |

Send to  
 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+4

Trudie Phillips  
 38212 Hwy 26  
 Seaside, OR 97138-6162

See Reverse for Instructions

PS Form 3800, August 2006

**SUNSET PRESORT**  
NOV 21 2014

CC PLANNING #719

Postage \$

**Certified Fee**

Return Receipt Fee  
(Endorsement Required)

Restricted Delivery Fee  
(Postage and Insurance Required)

Total Postage &amp; Fees

Sent To

Trudie Phillips

38212 Hwy 26

38212 HWY 20  
: 1. OD 97138-6162

or PO Box No.

City, State, ZIP+

City, State, Zip

— 2000 August 2006

See Reverse for Instructions

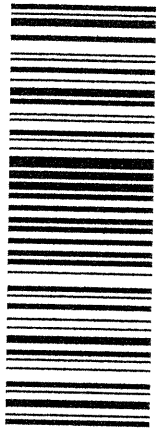


# Clatsop County

Community Development Department  
Land Use Planning  
800 Exchange Street, Suite 100  
Astoria, Oregon 97103

Trudie Phillips  
38212 Hwy 26  
Seaside, OR 97138-6162

N-22  
11-29  
12-6



7012 0470 0000 5388 4021

RECEIVED  
Clatsop County

DEC 11 2014

Land Use Planning

RETURN REC

NIXIE 978 DE 1009 0012/10/14

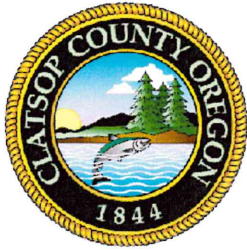
RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

971386162 H060  
9710304641

BC: 97103464125 \*2929-05792-21-44

US POSTAGE \$06.49  
NOV 21 2014  
ZIP 97103  
0801 1052811





# Clatsop County

## Community Development

800 Exchange St., Suite 100  
Astoria, Oregon 97103  
www.co.clatsop.or.us

Phone (503) 325-8611  
Fax (503) 338-3666

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## **NOTICE OF VIOLATION:** **PUBLIC NUISANCE – DO NOT OCCUPY**

TO: **Trudie A. Phillips**  
**38212 Hwy 26**  
**Seaside, OR 97138-6162**

RE: **Public Nuisance –Solid Waste; Inoperable Vehicles; Uninhabitable Structures**  
**T5N, R9W, Sec. 23, Tax Lot 100, aka 38212 Highway 26, Seaside, OR**

You are hereby notified of multiple ongoing violations of Clatsop County Code (CCC), Clatsop County Land and Water Development and Use Ordinance (LWDUO), and Clatsop County Standards Document (CCSD). These violations are a continuation of the conditions subject to a Notice of Warning issued to you on November 21, 2014. Residential structures on the property appear uninhabitable and remain **"DO NOT OCCUPY."**

September 14, 2015, the Code Compliance Specialist received updated information regarding the conditions at the property. Specifically County Sheriff's Office staff present on the property for other legal purposes observed troubling conditions at the property. Photographic evidence confirmed nuisances are present. These include massive accumulation of garbage and rubbish, several derelict vehicles, and two or more dangerous buildings.

Your nuisances consist of:

1. **Unpermitted development. (Two or more inoperable vehicles.)** LWDUO 2.050, 1.030.
2. **Public Nuisance. (Accumulation of Solid and Putrescible Waste.)** CCC 8.04.040.
3. **Dangerous Building. (Structures dangerous to health or safety.)** CCC 8.04.040, 15.04.280.
4. **Attractive Nuisance. (Attractions that may prove detrimental to children.)** CCC 8.04.040

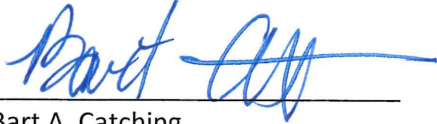
It is unclear whether you use your property for residential dwelling purposes. Although the county currently does not have a policy to proactively abate (clean up) nuisance properties, be aware it is within the county's authority to do so under extreme circumstances. Any costs from such abatement would be billed to you. Also be aware if the dangerous and unsanitary conditions remain the county will issue a code compliance order with fines which will become a lien against your property.

At this time the county will not pursue proactive abatement of your property. However, you must immediately secure all structures and vehicles to remove the attractive nuisance. You must not occupy the dangerous buildings. You must also make significant progress to clean and make safe the property. The status of the property will be evaluated in ninety (90) days. If at that time no significant progress has



been made removing the nuisances this department will issue a code compliance order with daily fines.  
Thank you for your time and attention to this matter.

Respectfully,



Bart A. Catching  
Code Compliance Specialist

12-10-15

Date

Cc: Clatsop County Sheriff's Office  
Clatsop County Animal Control  
Clatsop County Building Codes Division  
Copy mailed to owner's reported place of business at: 140 N Roosevelt DR, Seaside, OR

215



# Clatsop County

Community Development Department  
Land Use Planning  
800 Exchange Street, Suite 100  
Astoria, Oregon 97103

RECEIVED  
Clatsop County

JAN 11 2016

Land Use Planning

# RETURN RECEIPT

# REQUESTED

Trudie A. Phillips  
38212 Hwy 26  
Seaside, OR 97138-6162

12-14

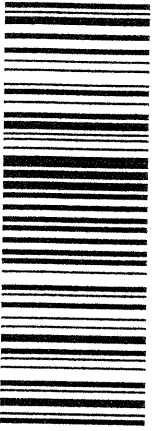
1st NOTICE  
2nd NOTICE 17777

NIXIE 970 DE 1 0001/07/15

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

971386162 HQ60  
9710304641

BC: 97103464125 \*0928-00301-12-00



7012 0470 0000 5388 4571

US POSTAGE \$06.74



0001/07/15

DEC 11 2015  
ZIP 97103  
0801 1052811



# Clatsop County Sheriff's Office

|                                |   |                              |   |
|--------------------------------|---|------------------------------|---|
| Distribution:                  |   |                              |   |
| <input type="checkbox"/> DA    | <input type="checkbox"/> DHS            | <input type="checkbox"/> APD | <input checked="" type="checkbox"/> other |
| <input type="checkbox"/> Juve  | <input checked="" type="checkbox"/> CBH | <input type="checkbox"/> P&P |   |
| <input type="checkbox"/> Court | <input type="checkbox"/> Animal         | <input type="checkbox"/> SPD |   |

Clatsop County  
Sheriff's Office  
355 7th St  
Astoria, OR 97103  
Business: (503) 325-8635

## Incident Report: C20210907

Current As Of:

5/6/2021 1:17:35 PM

**Offense:** **THEFT II**  
CRIMINAL TRESPASS II

|                   |          |             |          |                    |               |
|-------------------|----------|-------------|----------|--------------------|---------------|
| <b>Reported</b>   | 5/4/2021 | <b>Rcvd</b> | 10:16 AM | <b>Dispatcher:</b> | 52655         |
| <b>Department</b> | 5/4/2021 | <b>Disp</b> | 10:16 AM | <b>Officer:</b>    | 61620         |
| <b>End</b>        | 5/4/2021 | <b>Clrd</b> | 11:16 AM |                    | Morgan, Tiara |

**Location:** 38212 HIGHWAY 26

**CityState:** Seaside

**Apt:** **Grid:** 3300

**Incident Summary** PR REQ CONTACT RE COLD BREAK-IN. PR CONTACTED, CASE TAKEN

Dist: CBH-crises,records; Code Enforcement 05/06/2021 (Sum 1)

### People Involved:

| Involvement | Name / Address  | Sex / Race<br>Phone/<br>Cell Phone  | DOB/ AGE      | Citation/Charge/Offense<br>Caution | Date<br>Officer    |
|-------------|---|-------------------------------------|---------------|------------------------------------|--------------------|
| Complainant | PHILLIPS, Trudie Ann<br>38212 Highway 26 Ave<br>Seaside, OR | F W<br>503-738-9919<br>971-601-4023 | 12/27/1953 67 | CARRIES GUN/POSSIBLE 5150          | 5/4/2021<br>Morgan |

## Incident Report: C20210907

Current As Of:

5/6/2021 1:17:36 PM

---

### Continuation Report Officer: Morgan, Tiara

---

#### Summary

Summary 1 (MORGAN) On 5/4/2021, at 10:20am, Trudie Phillips reported a cold burglary to her property. Upon arrival, her home appeared to be unlivable with no power or plumbing.

#### Mentioned

PHILLIPS, Trudie Ann - COMPLAINANT

38212 HIGHWAY 26 Ave Seaside OR 97138

Phone: 503-738-9919 Cell Phone: 971-601-4023

DOB: 12/27/1953 Employer: It's Your Day Massage Th Emp Phone: 503-738-9919

Deputy Morgan/ Clatsop County Sheriff's Office (Writer)

Deputy Shepherd/ Clatsop County Sheriff's Office

#### Action Taken

On 5/4/2021, at approximately 10:20am, I was dispatched to 38212 Highway 26, Seaside, OR 97138 for a report of a cold burglary called in by the property owner, Trudie Phillips (DOB 12/27/1953). Trudie was advised by dispatch to remain in her car until our arrival.

I met with Trudie at the above address at about 10:40am. Trudie advised me she had been burglarized just a couple weeks prior and was under the impression it was by the same people. At the time, she had an officer take a report but they were unable to determine who the suspect was.

Trudie led me onto her property which was packed with four RV's, one single wide trailer, multiple tents, one out building, and her home in the south west corner of the lot. The property was littered with multiple large piles of children's toys and garbage. Trudie also advised she had been without property to her home since 2016 when the big storm ripped out her power cables.

While walking through her property, Trudie began listing out all of the things she noticed were missing. These included random items such as salt and pepper shakers, family photos, garden statues, cans of food, storage totes, and a few rolls of toilet paper. There was a wheelbarrow at the beginning of her property with a flat front tire. Trudie was under the impression that whomever burglarized her, had been using the wheelbarrow to move the items across her property. Upon quick inspection, the wheelbarrow was sunken into the ground with a thick layer of pine needles laying around it. It appeared to not have moved in a long time.

While walking past one tent, she peered inside and said all of her clamming equipment was missing, however she did not remember what specific equipment it was. The tent where she stored the equipment was also a makeshift bathroom with a commode sitting above a hole in the ground.

All of the dwellings on the property were packed full of random items. When entering into her actual home, I had to step around large piles of books and other belongings on the ground to make my way to the bedroom where Trudie claimed to sleep. The bed was covered with more items, and there was no actual path leading to the bed. In the bedroom, Trudie claimed there was

## Incident Report: C20210907

Current As Of:

5/6/2021 1:17:36 PM

an old wooden hutch full of World War II equipment, but it was all missing. While leaving the residence, Trudie found one of the missing World War II satchels she originally reported as missing.

During the walk through of Trudie's property and home, Trudie was visibly upset. Multiple times, she had to take a moment to stop crying and continue on with listing what items she was missing. I gave Trudie and Victim's Right's card with a number to call for all of the items she was missing. I also requested she take the time she needed to write up a list of everything she was missing and the value of each items. Finally, I advised Trudie to hang up a camera at the entrance of her property incase she reported another theft.

After leaving the residence, Deputy Shepherd contacted Code enforcement to advise them of the state of the property. They advised they will follow up with Trudie at a later time.

### Statements

See narrative.

### Evidence/Property

Body cam in "O" drive

### Action Recommended

Forward to Code enforcement (Including body cam video), CBH, and Senior Services.

Date/ ID: 5/5/2021 61620

Morgan, Tiara

Incident: C20210907

Date/ ID: 5/5/2021 61620

Morgan, Tiara

Incident: C20210907

Officer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Site visit 2/16/2022



Oregon Department of Transportation (ODOT) property, on Highway 26, where vehicles have been abandoned.



Site visit 2/16/2022



Inoperable vehicles and accumulation of solid waste



Site visit 2/17/2022



Notice of Violation posted on the property.



**RESPONSIBLE PARTY:**

Trudie Phillips  
38212 Hwy 26  
Seaside OR 97138

**SITUS ADDRESS:**

38212 Hwy 26  
Seaside OR 97138  
T5N, R09W, SEC 23, T100100.

**RE:** #000823 Unpermitted Development-Auto Wrecking Yard. Public Nuisance- Accumulation of Solid Waste. Public Nuisance/ Public Health Hazard- Inadequate Sanitation Facilities. Dangerous Building-Public nuisance/Public Health Hazard.

On January 12, 2022, code compliance specialist, Nancy Mendoza visited the above property to determine the status of violations occurring on the property. Included with this letter are photos taken during the January 12, 2022 site visit. This letter intends to provide:

- 1) Status of listed code violations;
- 2) Required actions of responsible party

**STATEMENT OF VIOLATION(S):** The above referenced property is in violation of Clatsop County Code as follows:

1. **Prohibited Development (Auto Wrecking Yard) LAWDUC SECTION 1.0500.** Two or more inoperable vehicles not in running condition, or the parts thereof, are stored in the open and are not being restored to operation; or any land, building or structure used for the wrecking or storing of such motor vehicles or the parts thereof. This violation began December 10 2015 and is ongoing.
2. **Public Nuisance (Accumulation of Solid Waste) CCC 8.04.010 (E)(U)(N), 8.04.040.** Accumulation of putrescible and nonputrescible wastes, including but not limited, garbage,



**Clatsop County**  
Community Development – Planning

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Astoria, OR 97103  
(503) 325-8611 phone  
(503) 338-3608 fax  
www.co.clatsop.or.us

rubbish, refuse, ashes, waste paper and cardboard, sewer sludge; commercial, industrial, demolition and construction wastes; discarded and abandoned vehicles or parts thereof, discarded home and industrial appliances; manure, vegetable or animal solid and semisolid wastes, dead animals and other wastes. This violation began December 10, 2015 and is ongoing.

3. **Public Nuisance/Public Health Hazard (Inadequate Sanitation Facilities) CCC 8.04.010 (E)(U)(N), 8.04.040; OAR 340-071-0130 (3).** Accumulation of putrescible and nonputrescible wastes, including but not limited, garbage, rubbish, refuse, ashes, waste paper and cardboard, sewer sludge; commercial, industrial, demolition and construction wastes; discarded and abandoned vehicles or parts thereof, discarded home and industrial appliances; manure, vegetable or animal solid and semisolid wastes, dead animals and other wastes.  
Prohibited discharges of wastewater. A person may not discharge untreated or partially treated wastewater or septic tank effluent directly or indirectly onto the ground surface or into public waters. Such discharge constitutes a public health hazard and is prohibited. This violation began May 21, 2021 and is ongoing.
4. **Dangerous Building (Public Nuisance/Public Health Hazard) CCC 15.04.280(A)(B).** All buildings or structures regulated by the Dangerous Building Code which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section unsafe. Any use of buildings or structure constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment, for the purpose of this section, an unsafe use. This violation began December 10, 2015 and is ongoing.  
(B). All unsafe buildings, structures or appendages are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Dangerous Buildings Code or such alternate procedures as may have been or as may be adopted by this jurisdiction.

**ACTION REQUIRED:**

Remove all accumulations of waste from property.





# Clatsop County

Community Development – Planning

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Astoria, OR 97103  
(503) 325-8611 phone  
(503) 338-3606 fax  
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You must not occupy the dangerous building.

You must immediately take steps to bring the property into compliance with county code. If you fail to abate the nuisance within 30 days of the date of service of the Notice of Infraction/Violation, further enforcement action may be taken including:

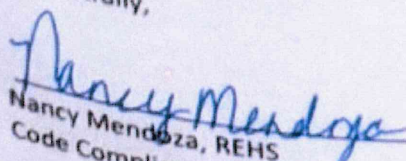
**ADMINISTRATIVE REVIEW:** If you fail to abate the nuisances and obtain the necessary permits within 30 days of the date of service of this Notice of Infraction/Violation, this matter will be administratively reviewed pursuant to CCC 1.12.1220 and a Code Compliance Order issued.

**PENALTIES:** You are assessed penalties of \$500.00 for each nuisance. Each day that a nuisance continues may be treated as a separate violation and treated with a separate and continuing fine. The maximum fine for any single offense shall be \$20,000. CCC 1.12.180. Interest on outstanding fines shall accrue at the statutory rate of nine (9) percent per annum. ORS 82.010. You are personally liable for payment of these penalties. Penalties will be reduced 20% if the violation is removed within 30 days of service of the Notice of Infraction/Violation. Payment of the penalty does not relieve you of your duty to abate the violation.

**ADDITIONAL COUNTY REMEDIES:** The County may exercise any other remedies available at law, including obtaining an injunction, at your cost. If a Code Compliance Order is issued by the Code Compliance Specialist, it may be recorded as a lien against your property. CCC 1.12.130(A). The County may abate the nuisance at your cost. CCC 8.04.050.

Thank you for your prompt attention to this matter.

Respectfully,

  
Nancy Mendoza, REHS  
Code Compliance Specialist

Served by Certified Mail and Regular Mail  
Certified # 9407111898765847124990

POSTED ON THE PREMISES ON \_\_\_\_\_

2/17/22  
Date



Electronic Delivery Confirmation™



Clatsop County  
800 EXCHANGE ST  
ASTORIA OR 97103-4641



**\$4.48** US POSTAGE  
FIRST-CLASS  
Feb 17 2022  
Mailed from ZIP 97103  
2 oz First-Class Mail Letter



Trudie A. Phillips  
38212 HIGHWAY 26  
SEASIDE OR 97138-6162



|                 |  |
|-----------------|--|
| Reference       |  |
| USPS #          | 9407111898765847124990   |
| USPS Mail Class | Certified with Electronic Delivery Confirmation  |
| USPS Status     | Your item was delivered to an individual at the address at 10:15 am on February 19, 2022 in SEASIDE, OR 97138.   |
| USPS History    | Out for Delivery, 02/19/2022, 8:20 am, SEASIDE, OR 97138<br>Arrived at Post Office, 02/19/2022, 8:09 am, SEASIDE, OR 97138<br>Departed USPS Facility, February 18, 2022, 1:32 pm, PORTLAND, OR 97215<br>Arrived at USPS Facility, February 17, 2022, 11:57 pm, PORTLAND, OR 97215<br>Accepted at USPS Origin Facility, February 17, 2022, 10:42 pm, ASTORIA, OR 97103<br>Shipping Label Created, USPS Awaiting Item, February 17, 2022, 7:50 pm, ASTORIA, OR 97103 |



Site visit 12/20/2022



Vehicles removed from 38212 Hwy 26 and abandoned on ODOT property. Property owner stated the Sheriff instructed her to place them on ODOT property so that a tow truck could easily remove them.



## Nancy Mendoza

---

**From:** Nancy Mendoza  
**Sent:** Thursday, December 22, 2022 9:44 AM  
**To:** Matt Phillips  
**Subject:** RE: Trudie Phillips  
**Attachments:** PXL\_20221221\_220725500.jpg

Yes, I can remember when I could just think the weight away. Thank you for helping her. I just have to get on her when her "stuff" spills off of the property and especially when she parks it by the Don't Litter sign! I don't think she meant to cause anyone grief, it's just Trudie's way of doing things.

Happy Holidays

Nancy Mendoza, REHS  
Code Compliance Specialist  
Clatsop County Community Development  
800 Exchange Street, Suite 100  
Phone: (503) 325-8611  
Fax: (503) 338-3606  
[nmendoza@co.clatsop.or.us](mailto:nmendoza@co.clatsop.or.us)  
[www.co.clatsop.or.us](http://www.co.clatsop.or.us)

---

**From:** Matt Phillips <[mphillips@clatsopcounty.gov](mailto:mphillips@clatsopcounty.gov)>  
**Sent:** Wednesday, December 21, 2022 3:39 PM  
**To:** Nancy Mendoza <[nmendoza@clatsopcounty.gov](mailto:nmendoza@clatsopcounty.gov)>  
**Subject:** RE: Trudie Phillips

Hi Nancy,  
Trudie is a bit confused. I told her how to legally remove the vehicles and I even reached out on her behalf to a tow company willing to help. It appears she didn't follow through with any of that. I would never tell her to move vehicles onto ODOT property.

I'm definitely not blond. It is getting harder by the year not to be heavy set.

Matt



**Sheriff Matthew D. Phillips**  
Clatsop County Sheriff's Office  
1190 SE 19th St. Warrenton, Or. 97146  
Work: 503.325.8635 Cell: 503.338.9954

---

**From:** Nancy Mendoza <[nmendoza@clatsopcounty.gov](mailto:nmendoza@clatsopcounty.gov)>  
**Sent:** Wednesday, December 21, 2022 2:07 PM

**To:** Matt Phillips <[mphillips@clatsopcounty.gov](mailto:mphillips@clatsopcounty.gov)>

**Subject:** Trudie Phillips

Good afternoon.

I was at 38212 Hwy 26 today because Trudie Phillips towed two vehicles and an RV out onto ODOT property (property line not yet verified) She claimed the Sheriff, Matt Phillips, told her it was OK to do that. She described you as heavyset with blonde hair. She then again stated Matt Phillips told her she could do it and that you were out there recording her when she was tagging the vehicles in September. I told her I would verify that with you and she said that's fine. So, are you heavyset and blonde?

Nancy Mendoza

## Nancy Mendoza

---

**From:** WHITNEY Justin A <Justin.A.WHITNEY@odot.oregon.gov>  
**Sent:** Friday, October 20, 2023 1:19 PM  
**To:** Nancy Mendoza; BUFFINGTON Mark W  
**Cc:** LYON Jered  
**Subject:** RE: 38212 Hwy 26

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Nancy,  
Apologies for the delay in response but Fridays are my Monday.

Both the vehicles you referenced were towed by me utilizing our 24 hour tag and tow capabilities at the beginning of this year. According to my records I tagged them on 12/31/2022 and had them both towed on 01/02/2023. Classic Towing came for the GMC van and Garys Towing came for the Red Mercury. To my knowledge OSP did not bring any charges against the property owner in this instance and since they were towed under a 24 hour tag the tow companies really end up shouldering the financial burden to remove these. The motorhome that is still present is a much more difficult recruitment as far as a tow company willing to come and remove it and it becomes a fairly large financial expense for ODOT to have it removed (typically several thousand dollars).

Worth noting that we have had several instances with this property owner bringing items out to the state right away making ODOT responsible for clean up and disposal. I have records/photos of all instances I have been directly called out to deal with this issue should you need any more information.

Justin Whitney  
ODOT Incident Responder  
Region2 District1  
1960 SE Dolphin Ave  
Warrenton, OR 97146  
(503) 440-3327

**From:** Nancy Mendoza <nmendoza@clatsopcounty.gov>  
**Sent:** Tuesday, October 17, 2023 3:20 PM  
**To:** BUFFINGTON Mark W <Mark.W.BUFFINGTON@odot.oregon.gov>; WHITNEY Justin A <Justin.A.WHITNEY@odot.oregon.gov>  
**Subject:** RE: 38212 Hwy 26

You don't often get email from [nmendoza@clatsopcounty.gov](mailto:nmendoza@clatsopcounty.gov). [Learn why this is important](#)

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Thank you Mark and Justin.  
Attached is a photo of the two vehicles. Unfortunately the RV is still there.

Nancy Mendoza, REHS

Code Compliance Specialist  
Clatsop County Community Development  
800 Exchange Street, Suite 100  
Phone: (503) 325-8611  
Fax: (503) 338-3606  
[nmendoza@clatsopcounty.gov](mailto:nmendoza@clatsopcounty.gov)  
[www.co.clatsop.or.us](http://www.co.clatsop.or.us)

**From:** BUFFINGTON Mark W <[Mark.W.BUFFINGTON@odot.oregon.gov](mailto:Mark.W.BUFFINGTON@odot.oregon.gov)>  
**Sent:** Tuesday, October 17, 2023 3:15 PM  
**To:** Nancy Mendoza <[nmendoza@clatsopcounty.gov](mailto:nmendoza@clatsopcounty.gov)>; WHITNEY Justin A <[Justin.A.WHITNEY@odot.oregon.gov](mailto:Justin.A.WHITNEY@odot.oregon.gov)>  
**Subject:** Re: 38212 Hwy 26

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nancy. I'm including my incident responder.

Justin do you know anything about these vehicles?

Thanks

Mark Buffington  
ODOT District 1 Manager - North Coast  
350 W Marine Dr  
Astoria, OR 97103  
Office: 503-325-7222  
Cell: 503-969-1778  
Fax: 503-325-1314  
[Mark.W.Buffington@odot.oregon.gov](mailto:Mark.W.Buffington@odot.oregon.gov)

---

**From:** Nancy Mendoza <[nmendoza@clatsopcounty.gov](mailto:nmendoza@clatsopcounty.gov)>  
**Sent:** Tuesday, October 17, 2023 1:59 PM  
**To:** BUFFINGTON Mark W <[Mark.W.BUFFINGTON@odot.oregon.gov](mailto:Mark.W.BUFFINGTON@odot.oregon.gov)>  
**Subject:** 38212 Hwy 26

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Good afternoon, Mark.

Do you know if Trudie was cited for the vehicles that she had towed onto ODOT property (the blue truck and red car)? I'm presenting a case against her in November to the hearings officer and I want to show, that as well as the blue and red vehicle, she also had the RV towed.

Thank you,

Nancy Mendoza, REHS

Code Compliance Specialist  
Clatsop County Community Development  
800 Exchange Street, Suite 100  
Phone: (503) 325-8611  
Fax: (503) 338-3606  
[nmendoza@clatsopcounty.gov](mailto:nmendoza@clatsopcounty.gov)  
[www.co.clatsop.or.us](http://www.co.clatsop.or.us)

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# Clatsop County

Community Development – Code Compliance

800 Exchange St., Suite 100  
Astoria, OR 97103  
(503) 325-8611 phone  
(503) 338-3606 fax  
[www.co.clatsop.or.us](http://www.co.clatsop.or.us)

---

## **NOTICE OF WARNING** **CEASE AND DESIST**

May 11, 2023

**RESPONSIBLE PARTY:**

Trudie Phillips  
38212 Highway 26  
Seaside OR 97138

**SITUS ADDRESS:**

38212 Highway 26 Seaside OR  
T5N, R09W, Sect 23, TL 00100

**RE:** #20-000823 Public Nuisance-Accumulation of Solid Waste; Unpermitted Development-Auto Wrecking Yard;

**STATEMENT OF VIOLATION(S):** The above referenced property is in violation of Clatsop County Code as follows:

1. **Public Nuisance. Accumulation of Solid Waste. CCC 8.04.010.** Solid waste includes all putrescible and nonputrescible wastes, including, but not limited to, garbage, rubbish, refuse, ashes, waste paper and cardboard; sewer sludge; commercial, industrial, demolition and construction wastes; discarded and abandoned vehicles or parts thereof; discarded home and industrial appliances; manure, vegetable or animal solid and semisolid wastes, dead animals and other wastes\*. This violation was observed on November 11, 2021 and is ongoing.  
\* **Not all of the solid waste listed may be present on your property.** Please work with code compliance staff to identify the solid waste on your property.
2. **Unpermitted Development. Auto wrecking Yard. Land and Water Development and Use Code (LAWDUC).**  
**Article 1. Introductory Provisions. Section 1.0500.** Auto wrecking yard-Any property where two or more motor vehicles not in running condition, or the parts thereof, are stored in the open and are not being restored to operation; or any land, building or structure used for the wrecking or storing of such motor vehicles or the parts thereof. This violation began on or before November 11, 2021 and is ongoing.





# Clatsop County

## Community Development – Code Compliance

800 Exchange St., Suite 100  
Astoria, OR 97103  
(503) 325-8611 phone  
(503) 338-3606 fax  
[www.co.clatsop.or.us](http://www.co.clatsop.or.us)

**Required Action:** You must immediately cease and desist all further unpermitted development and remove all public nuisances from the property.

- Remove all solid waste from the property and provide receipt of legal disposal
- Remove all but one (1) inoperable vehicles or provide receipt for parts and services to restore vehicles.

**ADMINISTRATIVE REVIEW:** If you fail to abate the nuisances after thirty days, following the service of a notice of violation, a review of all actions and decisions concerning the alleged nuisances will be completed. Upon receipt of a notice of violation you may request a hearing. The request to schedule a hearing must be received in writing within 20 days of the date of the notice of violation was issued.

**PENALTIES:** You are assessed penalties of \$500.00 for each violation, each day the violation continues, up to a total of \$20,000 per violation. **CCC 12.130.** Interest on outstanding fines shall accrue at the statutory rate of nine (9) percent annually. **ORS 82.101. You are personally responsible for payment of these penalties.** Payment of the penalty does not relieve you of your duty to abate the violation.

Please contact me at 503-325-8611 or [nmendoza@clatsopcounty.gov](mailto:nmendoza@clatsopcounty.gov)

Thank you for your prompt attention to this matter.

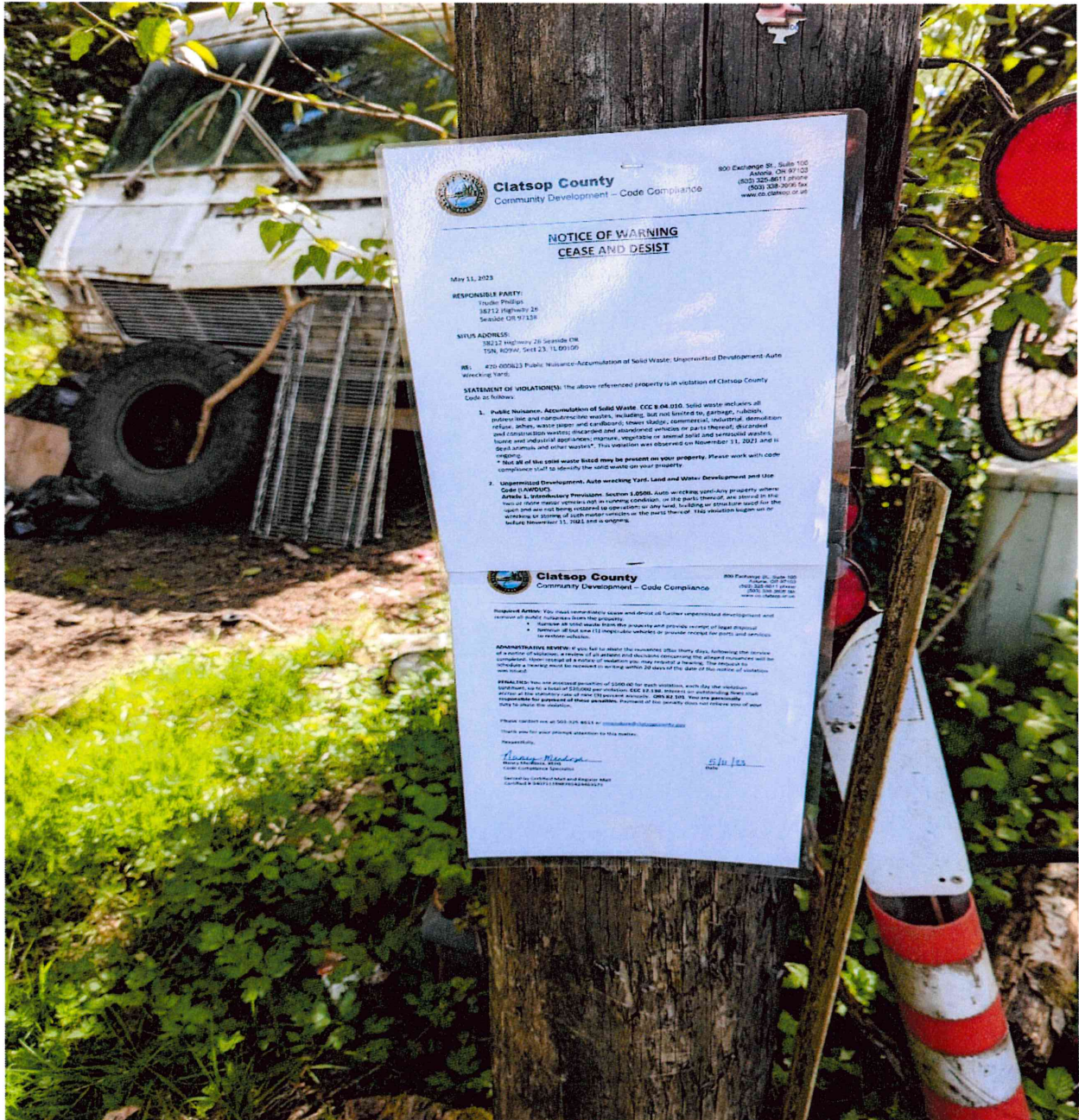
Respectfully,

Nancy Mendoza, REHS  
Code Compliance Specialist

5/11/23  
Date

Served by Certified Mail and Regular Mail  
Certified # 9407111898765424463573

## Site visit 5/11/2023



Notice of Warning



Site visit 5/11/2023



Accumulation of solid waste



Site visit 5/11/2023



Auto wrecking yard

Chevy truck with a flat tire, expired tags. Back of the truck with solid waste behind it.



Site visit 5/11/2023



Auto wrecking yard

White truck covered in pipes and other material surrounded by solid waste.

# Electronic Delivery Confirmation™

**USPS CERTIFIED MAIL™**

Clatsop County  
800 EXCHANGE ST  
ASTORIA OR 97103-4641

**\$4.75 US POSTAGE**  
FIRST-CLASS  
May 11 2023  
Mailed from ZIP 97103  
1 OZ FIRST-CLASS MAIL LETTER  
RATE  
11923275



062S0012913542

**USPS CERTIFIED MAIL**



**9407 1118 9876 5424 4635 73**

Trudie Phillips  
38212 HIGHWAY 26  
SEASIDE OR 97138-6162



## Reference

USPS #

9407111898765424463573

USPS Mail Class

Certified with Electronic Delivery Confirmation

USPS Status

Your item has been delivered to the original sender at 10:07 am on June 5, 2023 in ASTORIA, OR 97103.

USPS History

Out for Delivery, 06/05/2023, 8:31 am, ASTORIA, OR 97103

Arrived at Post Office, 06/05/2023, 8:20 am, ASTORIA, OR 97103

Departed USPS Facility, June 4, 2023, 5:01 pm, PORTLAND, OR 97215

Unclaimed/Being Returned to Sender, June 1, 2023, 1:26 pm, SEASIDE, OR 97138

Reminder to Schedule Redelivery of your item

Notice Left (No Authorized Recipient Available), 05/15/2023, 9:36 am, SEASIDE, OR 97138

Arrived at USPS Facility, May 12, 2023, 10:37 pm, PORTLAND, OR 97215

Accepted at USPS Origin Facility, May 12, 2023, 9:22 pm, ASTORIA, OR 97103

Shipping Label Created, USPS Awaiting Item, 05/11/2023, 7:07 pm, ASTORIA, OR 97103

Electronic Delivery Confirmation Report © 2023 Certified Mail Envelopes, Inc. All rights reserved.

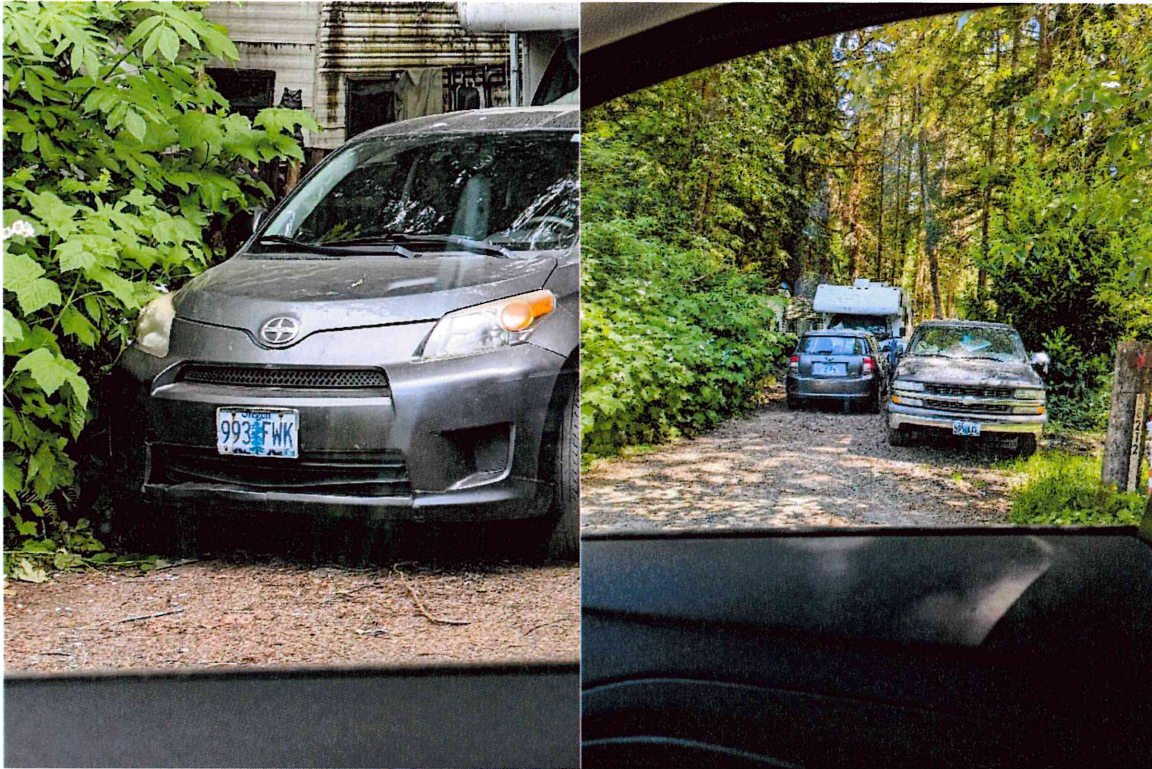
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Date Verified: 10/18/2023 16:50:45 (UTC)



Site visit 6/8 & 6/12 2023



Some progress made but abandoned RVs and auto wrecking yard still present.



# Clatsop County

Community Development – Code Compliance

800 Exchange St., Suite 100  
Astoria, OR 97103  
(503) 325-8611 phone  
(503) 338-3606 fax  
[www.co.clatsop.or.us](http://www.co.clatsop.or.us)

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## **NOTICE OF VIOLATION** **CEASE AND DESIST**

July 7, 2023

**RESPONSIBLE PARTY:**

Trudie Phillips  
38212 Hwy 26  
Seaside OR 97138

**SITUS ADDRESS:**

38212 Hwy 26  
Seaside OR 97138  
T5N, R09W, Sect 23, TL 00100

**RE:** #20-000823 Public Nuisance-Accumulation of Solid Waste; Unpermitted Development-Auto Wrecking Yard;

**STATEMENT OF VIOLATION(S):** The above referenced property is in violation of Clatsop County Code as follows:

1. **Public Nuisance. Accumulation of Solid Waste. CCC 8.04.010.** Solid waste includes all putrescible and nonputrescible wastes, including, but not limited to, garbage, rubbish, refuse, ashes, waste paper and cardboard; sewer sludge; commercial, industrial, demolition and construction wastes; discarded and abandoned vehicles or parts thereof; discarded home and industrial appliances; manure, vegetable or animal solid and semisolid wastes, dead animals and other wastes. \* This violation was observed on July 15, 2021 and is ongoing.  
\* **Not all of the solid waste listed may be present on your property.** Please work with code compliance staff to identify the solid waste on your property.
2. **Unpermitted Development. Auto wrecking Yard. Land and Water Development and Use Code (LAWDUC).**  
**Article 1. Introductory Provisions. Section 1.0500.** Auto wrecking yard-Any property where two or more motor vehicles not in running condition, or the parts thereof, are stored in the open and are not being restored to operation; or any land, building or structure used for the wrecking or storing of such motor vehicles or the parts thereof. This violation began July 15, 2021 and is ongoing.





# Clatsop County

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**Required Action:** You must immediately cease and desist all further unpermitted development and remove all public nuisances from the property.

- Remove all solid waste from the property and provide receipt of legal disposal
- Remove all but one (1) inoperable vehicles or provide receipt for parts and services to restore vehicles.

**ADMINISTRATIVE REVIEW:** If you fail to abate the nuisances after thirty days, following the service of a notice of violation, a review of all actions and decisions concerning the alleged nuisances will be completed.

**PENALTIES:** You are assessed penalties of \$500 for each violation, each day the violation continues, up to a total of \$20,000 per violation. **CCC1.12.180.** Interest on outstanding fines shall accrue at the statutory rate of nine (9) percent per annum. **ORS 82.010.** **You are personally liable for payment of these penalties.** Penalties will be reduced 20% if the violation is removed within 30 days of service of the Notice of Violation. Payment of the penalty does not relieve you of your duty to abate the violation.

**ADDITIONAL COUNTY REMEDIES:** The County may exercise any other remedies available at law, including obtaining an injunction, at your cost. If a Code Compliance Order is issued, it may be recorded as a lien against your property. **CCC 1.12.130(A).** The County may abate the nuisance at your cost. **CCC 8.04.050.**

### RESPONSE OPTIONS:

**As to each violation charged, you may within 30 days of service of the Notice of Violation:**

1. Admit the infraction and submit a statement in mitigation together with the presumptive penalty.
2. Deny the infraction and submit a written statement for the Administrative Review.
3. Deny the infraction and request a hearing before a hearings officer.



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---

Please contact me at 503-325-8611 or [nmendoza@clatsopcounty.gov](mailto:nmendoza@clatsopcounty.gov)

Thank you for your prompt attention to this matter.

Respectfully,

Nancy Mendoza, REHS  
Code Compliance Specialist

7/7/23  
Date

Served by Certified Mail and Regular Mail  
Certified # 9407111898765419310523

Site visit 7/7/2023



Notice of violation



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**USPS CERTIFIED MAIL™**

Clatsop County  
800 EXCHANGE ST  
ASTORIA OR 97103-4641

**\$4.75 US POSTAGE**  
FIRST-CLASS  
Jul 06 2023  
Mailed from ZIP 97103  
1 OZ FIRST-CLASS MAIL LETTER  
RATE  
11923275



062S0014949965

**USPS CERTIFIED MAIL**



**9407 1118 9876 5419 3105 23**

Trudie Phillips  
38212 HIGHWAY 26  
SEASIDE OR 97138-6162



## Reference

USPS #

9407111898765419310523

USPS Mail Class

Certified with Electronic Delivery Confirmation

USPS Status

Your item was delivered to an individual at the address at 10:06 am on  
July 13, 2023 in SEASIDE, OR 97138.

USPS History

Departed USPS Facility, July 12, 2023, 6:50 pm, PORTLAND, OR 97215  
Arrived at USPS Facility, July 11, 2023, 9:55 pm, PORTLAND, OR 97215  
Accepted at USPS Origin Facility, July 11, 2023, 8:40 pm, ASTORIA, OR  
97103

Shipping Label Created, USPS Awaiting Item, 07/06/2023, 10:11 pm,  
ASTORIA, OR 97103



Site visit 9/12/2023



Accumulation of solid waste surrounding Blue truck and along both sides of the driveway.



Site visit 10/12/2023



Accumulation of solid waste. CCC 8.04.010



Site visit 10/12/2023



Auto Wrecking Yard. LAWDUC. Section 1.0500





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## Administrative Review CCC 1.12.11

- A. Thirty days following the service of a notice of violation, the compliance specialist shall review all actions and decisions concerning the alleged nuisance and shall determine whether the nuisance has been abated.
- B. The responsible party may present evidence to the code compliance specialist in the course of said review regarding the presence or abatement of the alleged nuisance.
- C. Upon completion of administrative review, the code compliance specialist shall determine the presence and nature of any nuisances.
  1. If a nuisance is present the code compliance specialist may issue a separate notice of violation and may schedule the case for review by the hearings officer.
  2. If no nuisance is present the code compliance specialist shall dismiss the violation upon full payment of any fines or other penalties assessed for the violation.

Record # 186-20-000823

Opened: 11/21/2014

Summary of Code Violations: Accumulation of Solid Waste; Auto Wrecking Yard.

Enforcement Action:

Notice of Warning: November 21, 2014

Notice of Violation: December 10, 2015

Notice of Infraction: February 17, 2022

Notice of Warning: May 11, 2023

Notice of Violation: July 7, 2023

30-day review of listed code violations: October 13, 2023.

The violations, accumulation of solid waste and auto wrecking yard, are still present on the property.

The property owner requested more time to remove the waste and vehicles but since the request has not taken any measures to abate the violations.

The owner does not live on the property and is not able to prevent others from dumping solid waste and/or inoperable vehicles on the property.

There is no power to the property.

There are no sanitation facilities on the property.



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## NOTICE OF VIOLATION HEARING PROCEDURES

Pursuant to CCC 1.12.110(C) Code Compliance Specialist Nancy Mendoza has scheduled the violation file for review by a hearings officer.

Hearing date:

November 8, 2023 at 10:00am.

Zoom Meeting: <https://co-clatsop-or-us.zoom.us/j/89451689708?pwd=blhjMGt0K2Q0RkZ6RzVCWVVNcXVhQT09>.

Dial: 1(719) 359-4580

Meeting ID: 89451689708

Passcode: 493029

Send all correspondences to:  
Clatsop County Community Development  
ATTN: Nancy Mendoza  
800 Exchange Street  
Astoria OR 97103  
[nmendoza@clatsopcounty.gov](mailto:nmendoza@clatsopcounty.gov)

| Correspondence                                   | Deadline/ must be received   |
|--|--|
| Request to reschedule hearing                    | At least two business days prior to the hearing.<br>Must be received by November 6, 2023 |
| Written statement in lieu of personal appearance | At least one business day prior to the hearing.<br>Must be received by November 7, 2023  |

In accordance with CCC 1.14.100 the responsible party(s) must appear at the hearing **which will be held virtually**. If the responsible party(s) does not appear at the hearing or does not submit a written statement in lieu of appearing in person

- The full amount of the proposed civil penalty will be assessed
- The responsible party(s) will be ordered to correct the violation(s)

Failing to pay a civil penalty or correct a violation after having been ordered or required to do so is a separate violation of the code and subjects the responsible party to additional civil penalties, court action, liens, garnishments, interest charges, and other involuntary collection remedies.



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### Hearing Procedures

The hearings officer shall preside over hearings under this chapter and may set reasonable rules of procedure designed to facilitate orderly and efficient presentation of evidence provided the rules do not conflict with this chapter

Except as otherwise provided, the responsible party must appear in person at the hearing. If the responsible person is an individual, that person may submit a written statement in lieu of personal appearance. This statement must be signed by the responsible party or on behalf of the responsible party and received by the county at least one business day prior to the hearing. All testimony must be given under oath

Responsible parties who are not individuals must designate a director, officer, managing agent, member, or employee who has the authority to act of the responsible party's behalf and to give sworn testimony on the responsible party's behalf. The hearings officer may require the designee to testify under oath to establish the designee's authority.

The county may be represented by a code compliance specialist for violations other than the Building Code or Fire Code, by a legal counsel or assistant legal counsel, by a peace officer, or by any person so authorized by a county department head.

The responsible person may be represented by an attorney licensed to practice law in Oregon or may represent themselves. The appearance of an attorney does not alter the requirement that the responsible party be personally present at the hearing.

The county shall proceed first and have the burden of establishing the violations by a preponderance of evidence.

The responsible party proceeds second and, if personally present, may question the county's witnesses, present testimony and evidence and make argument\*.

The county's representative may question the responsible party's witnesses. The county may offer rebuttal testimony or argument or both at the discretion of the hearings officer.

\*If the responsible party is not personally present, the hearings officer may not consider any testimony, argument or evidence on behalf of the responsible party apart from the responsible party's written statement





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## **NOTICE OF VIOLATION** **CEASE AND DESIST**

**RESPONSIBLE PARTY:**

Trudie Phillips  
38212 Hwy 26  
Seaside OR 97138

**SITUS ADDRESS:**

38212 Hwy 26  
Seaside OR  
T5N, R09W, Sect 23, TL 00100

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2. **Unpermitted Development. Auto wrecking Yard. Land and Water Development and Use Code (LAWDUC).**  
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wrecking or storing of such motor vehicles or the parts thereof. This violation began July 15, 2021 and is ongoing.

**Required Action:** You must immediately cease and desist all further unpermitted development and remove all public nuisances from the property.

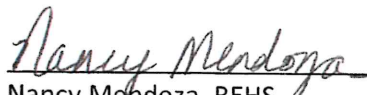
- Remove all solid waste from the property and provide receipt of legal disposal
- Remove all but one (1) inoperable vehicles or provide receipt for parts and services to restore vehicles.

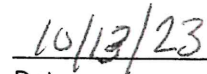
**PENALTIES:** You are assessed penalties of \$500.00 for each violation, each day the violation continues, up to a total of \$20,000 per violation. **CCC 12.130.** Interest on outstanding fines shall accrue at the statutory rate of nine (9) percent annually. **ORS 82.101. You are personally responsible for payment of these penalties.** Payment of the penalty does not relieve you of your duty to abate the violation.

Please contact me at 503-325-8611 or [nmendoza@clatsopcounty.gov](mailto:nmendoza@clatsopcounty.gov)

Thank you for your prompt attention to this matter.

Respectfully,

  
Nancy Mendoza, REHS  
Code Compliance Specialist

  
Date

Served by regular and certified mail  
Certified # 9407111898765499090063